

RESOLUTION NO. 09-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, OPPOSING LEGISLATION THAT WOULD GRANT THE PROPOSED NFL FOOTBALL STADIUM AND ENTERTAINMENT COMPLEX IN THE CITY OF INDUSTRY AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND CONSISTENCY WITH THE CITY OF INDUSTRY GENERAL PLAN

WHEREAS, The City of Walnut recently learned that Majestic Realty Co. and the City of Industry are actively seeking a change in State Law that would exempt the NFL Football Stadium and Entertainment Complex project proposed in the City of Industry, including any activity or approval, necessary and incidental to, the development, planning, design, site acquisition, financing, leasing, construction, operation and maintenance of a stadium complex and associated development, from the California Environmental Quality Act (CEQA); and

WHEREAS, the proposed legislation would also exempt the NFL Football Stadium and Entertainment Complex from the requirements of State planning law to be in compliance with the City of Industry General Plan; and

WHEREAS, the City has been advised that if such legislation is introduced, it must be passed by this Friday, September 11, 2009; and

WHEREAS, while there are many considerations with the development of a new NFL Football Stadium and Entertainment Complex in the Region, there are just as many reasons to ensure that the project complies with local general plans and the same environmental regulations that govern virtually all projects in California. Hospitals, water infrastructure, freeways and all sorts of valuable projects manage to be built without the necessity of CEQA or General Plan exemptions; and

WHEREAS, the proposed legislation is merely an attempt to circumvent the lawsuits filed by the City of Walnut and by a group of Walnut and Diamond Bar residents over the City of Industry's approval of the project; and

WHEREAS, the project as approved would have tremendous negative environmental and economic impacts on the City of Walnut and its residents, which impacts have not been addressed by a project specific EIR; and

WHEREAS, passage of the proposed legislation would undermine the public's faith in the ability of the judicial system to enforce State planning and environmental laws; and

WHEREAS, the economic benefits of the project to the State and region which is this the basis for the proposed legislation is over estimated and unsubstantiated based on actual research; and

WHEREAS, the creation of jobs resulting from the project to the State and region touted in the proposed legislation would produce more part-time, low-wage and low-skill jobs compared to the permanent, higher-paying, skilled jobs that would be created by the corporate office, R&D, manufacturing and retail development that was previously approved and uncontested as part of the 2004 Industry Business Center project; and

WHEREAS, Majestic Realty Co. has mis-characterized the position of the City of Walnut to the State Legislature, describing the mitigation measures as a “wish list” and the City as “extortionists”. The initial list of mitigation measures was based primarily on those reflected in the EIR relating to feasible mitigation measures to reduce the significant and unavoidable impacts, particularly to traffic, air quality and noise, to the City of Walnut and its residents. The initial list of mitigation measures was also similar to those contained in a Settlement Agreement previously reached between Majestic and the neighboring City of Diamond Bar. Despite these facts, Majestic chose to terminate settlement discussions rather than try to address Walnut’s legitimate concerns with impacts to its community;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Walnut as follows:

SECTION 1. The City Council of the City of Walnut shall go on record as opposing any legislation that would grant the proposed NFL Football Stadium and Entertainment Complex an exemption from the California Environmental Quality Act and compliance with their own City of Industry General Plan; and

SECTION 2. The City Clerk is directed to send copies of this resolution to local legislators.

PASSED, APPROVED AND ADOPTED this 9th day of September, 2009.

Mary Su, Mayor

ATTEST:

City Clerk

Resolution No. 09-37

September 9, 2009

Page 3

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF WALNUT)

I, Teresa De Dios, City Clerk of the City of Walnut, do hereby certify that the foregoing Resolution No. 09-37 being:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, OPPOSING LEGISLATION THAT WOULD GRANT THE PROPOSED NFL FOOTBALL STADIUM AND ENTERTAINMENT COMPLEX IN THE CITY OF INDUSTRY AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND CONSISTENCY WITH THE CITY OF INDUSTRY GENERAL PLAN

was an emergency action item approved at a regular meeting of the City Council on the 9th day of September, 2009, by the following vote, to wit:

AYES: COUNCILMEMBER(S)
NOES: COUNCILMEMBER(S)
ABSTAIN: COUNCILMEMBER(S)
ABSENT: COUNCILMEMBER(S)

Teresa De Dios, City Clerk